

Subject
314D

12 December 1952

OGC HAS REVIEWED.

Mr. Richard L. Merrick
Merrick and King
1624 Eye Street, N. W.
Washington 6, D. C.

Dear Mr. Merrick:

25X1A

I am sorry I have not had an earlier opportunity to answer your letter of 9 December, but [REDACTED] believes you have been kept posted on developments. I trust, therefore, that the delay has not been in any way burdensome to you.

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I wish to make it clear in the first place that our refusal to grant your request to appear at our administrative hearings in the Agency have nothing to do with the question of whether or not you could be cleared. I am sure there would be no difficulty from the security point of view in obtaining clearance. In our opinion, however, this hearing was merely part of the procedure to correct a technical deficiency arising out of the classification of the original charges and was not a hearing de novo. The charges considered in the hearing contained no new material and the answers submitted by Mr. [REDACTED] contained, in our opinion, nothing substantially altering his previous position. Consequently, there was no basis in our opinion for considering an exception to established Agency policy and regulations. I personally believe no prejudice to your client's case could arise out of this proceeding.

I, too, greatly regret that your client did not see fit to accept the terms of our offer, as I believe it would have been in the best interest of all concerned. It was, however, a personal pleasure to deal with you in this matter.

Very truly yours,

LAWRENCE R. HOUSTON
General Counsel

LRH:kr